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claims 5, 8, 10, 18 and 31-35 are objected to. By this amendment, claims 1-37 continue unamended.

In view of the following discussion, the applicants submit that all of the claims now pending in the application are in allowable form and that such allowance is earnestly solicited.

REJECTION OF CLAIMS 1-4, 6, 7, 9, 12-17, 19-30 AND 36-37  
UNDER 35 U.S.C. §103(a)

Claims 1-4, 6, 7, 9, 12-17, 19-30 and 36-37 stand rejected (per comment 2 of the Office Action) under 35 U.S.C. §103(a) as being anticipated by the Shiga patent (U.S. Patent Application No. 6,005,562 issued 12/21/99) in view of the Khansari et al. patent (U.S. Patent No. 6,141,448, issued on October 31, 2000). The applicants respectfully traverse.

The Shiga arrangement provides for the transmission to users of an electronic program guide (EPG) comprising image and text data. The EPG image data may comprise full or reduced-size image frames of broadcast channels which may then be identified using EPG text data. The Shiga arrangement superimposes baseband EPG text data onto a single frame for each channel. The superimposed EPG text and image data forms a video signal which is then encoded using an MPEG encoder. Thus, full frame image data, of either reduced size or standard size, is superimposed with EPG data prior to video encoding. It is important to note that the Shiga reference does not utilize any of the slice-based or slice-layer processing techniques of the claimed invention. Moreover, the Shiga arrangement is incapable of performing the slice-based processing of the present invention. The Examiner is also respectfully directed to the Applicants' discussion of the Shiga arrangement provided in Applicants' response of August 20, 2001 to the first Office Action of July 7, 2001.

The Khansari arrangement provides an error-correction method and apparatus for transmission of block-based coding standard compliant video data. The Khansari arrangement performs a standard block-by-block encoding of video data, organizing encoded blocks into macroblocks, organizing macroblocks into groups of blocks, where each group of blocks corresponds to a slice of a picture being encoded. Additionally, an

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"erasure slice" is formed, which comprises another group of blocks that may be used in an error correction mode to derive a lost or corrupted group of blocks. Thus, the Khansari arrangement augments the standard encoding process by providing the encoded erasure slice, such that the loss or corruption of any of the other encoded slices forming a picture may be corrected by processing the erasure slice and remaining encoded slices. Khansari also provides full form encoding of a video signal. This is entirely unlike the subject invention.

The Shiga patent and the Khansari patent, either singly or in any allowable combination, fail to disclose or suggest at least the invention of claim 1, which recites:

"A method for encoding a program guide having included therein a guide portion and a video portion, the method comprising:  
encoding a first set of slices for the guide portion for each of a plurality of guide pages; and  
encoding a second set of slices for the video portion for each of a plurality of video streams."

In contrast to the above-quoted claim language, and as noted by the Examiner, the Shiga patent has absolutely nothing to do with slice-based encoding. Rather, the Shiga arrangement uses a standard MPEG encoder to encode entire image frames provided by a video signal. This is entirely unlike the claimed invention. The Shiga arrangement provides no teaching, no suggestion and no ability to perform the slice-based encoding steps of claim 1.

The Khansari patent fails to bridge the substantial gap between the Shiga patent and the claimed invention. Specifically, the Khansari patent also encodes entire image frames, which encoded image frames are augmented by additional encoded data (i.e., the erasure slice) useful in reconstructing lost or corrupted encoded image frame data. As with the Shiga patent, the Khansari patent also provides no teaching, no suggestion and no ability to perform the sliced base encoding steps of claim 1.

Specifically, it is noted that claim 1 positively recites encoding two separate sets of slices representing, respectively, "the guide portion for each of a plurality of guide pages" and "the video portion for each of a plurality of video streams." The references, either singly or in any combination fail to disclose this structure. Specifically, even if the composited imagery of Shiga (i.e., the unencoded video signal including reduced size

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image data and EPG data, along with program data) is encoded according to the Khansari method, there is absolutely no teaching or suggestion that any resulting encoded slices correspond to guide portion slices and video portion slices, as claimed. That is, the Khansari arrangement does not provide any means for discerning between a guide portion and a video portion of video data to be encoded such that distinct sets of slices may be created for such portions of imagery to be encoded. In fact, there is no teaching within either reference of identifying for subsequent encoding the image locations of portions of composited imagery associated with either guide regions or video regions.

Thus, there is no mechanism by which the Khansari arrangement could even perform the claimed steps of "encoding a first set of slices for the guide portion for each of a plurality of guide pages; and encoding a second set of slices for the video portion for each of a plurality of video streams."

It is noted that the Khansari arrangement merely encodes those blocks associated with a video stream. Whether the encoded blocks represent a guide portion, a video portion or some other portion of the video screen is irrelevant and not discernible within the context of the Khansari reference. It is further noted that there is absolutely no teaching of "encoding a first set of slices for the guide portion for each of a plurality of guide pages" in the Khansari patent, or in the Shiga patent. Thus, in any combination of the cited references, there is no instance in which the invention of claim 1 is disclosed or suggested.

Since the Shiga patent and Khansari patent, whether singly or in any allowable combination, do not disclose or suggested the claimed invention, it is respectfully submitted that the invention of claim 1 is patentable over the cited references. Moreover, since independent claims 12, 23 and 36 include relevant limitations similar to those discussed above with respect to claim 1, it is respectfully submitted that these claims are also patentable for at least the reasons discussed above with respect to claim 1. Finally, since dependent claims 2-11, 13-22, 24-35 and 37 depend, either directly or indirectly, from claims 1, 12, 23 and 36, and recite additional limitations therefrom, it is respectfully submitted that these dependent claims are also patentable for at least the reasons discussed above with respect to claim 1.

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ALLOWABLE SUBJECT MATTER

The applicants thank the Examiner for noting that claims 5, 8, 10, 11, 18 and 31-35 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. While the applicants agree that such claims would indeed be allowable, it is respectfully submitted that the above amendments made to the respective base and/or intervening claims render such base and/or intervening claims patentable and, therefore, those claims dependent therefrom are also patentable. Thus, the applicants submit that the objected to claims of 5, 8, 10, 11, 18 and 31-35 are themselves patentable.

CONCLUSION

Thus, the applicants submit that all of the claims presently in the application are patentable and that allowance of these claims is earnestly solicited. If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Eamon J. Wall, Esq. at 732-530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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